

## METAL MARKETS

Bar silver: 63 1/2c  
Foreign: 63 1/2c  
Domestic: 99 1/2c  
Copper—Steady.  
Elec. spot: 13; later: 13 to 13 1/2c

# WEEKLY JOURNAL-MINER

## ARIZONA WEATHER

(Furnished by the U. S. Weather Bureau and the Associated Press.)  
Tuesday and Wednesday—Fair.  
Prescott Temperatures, March 13  
8 a. m. 18 12 m. 48 5 p. m. 42

PIONEER PAPER OF ARIZONA

PRESCOTT JOURNAL-MINER, WEDNESDAY MORNING, MARCH 15, 1922

FIFTY-NINTH YEAR

## FIRST TEST ON 4-POWER PACT TODAY

### Governor Refers Constitutional Amendments to People at Polls

## GALE TO BATTLE FOR NEW DEAL ON HOSPITAL LOCALE

## GRAND, PRESIDENT DENIES A SANATORIUM SITE IS CHOSEN

No City Definitely Designated by Any Committee, Unsolicited Statement of W. S. Carter to Chamber of Commerce

"Cleveland, Ohio, 339P  
March 13, 1922.

"G. M. Sparkes, Secretary Chamber of Commerce, Prescott, Ariz. "No cities have been definitely designated by any committee in connection with establishment of tubercular sanatorium. Our convention to be held at Houston in May will give consideration to all cities concerned."

(Signed) "W. S. CARTER."

The above telegram was received yesterday afternoon at the chamber of commerce office. It was not solicited by the chamber of commerce, but was sent of his own volition by W. S. Carter, grand president of the Brotherhood of Locomotive Engineers and Firemen.

Further hearing on the situation is a message received Sunday from Timothy Shea, assistant president; Dr. W. B. Watts, medical advisor; and A. H. Hawley, secretary, of the Brotherhood of Firemen and Engineers, in response to a message from the chamber of commerce. The chamber of commerce's telegram, and the railroad men's reply were as follows:

Prescott, Ariz., March 11-22. Timothy Shea, Assistant President; Dr. W. B. Watts, Medical Advisor; Secretary A. H. Hawley; Brotherhood of Firemen and Engineers, 901 Guardian Building, Cleveland, Ohio.

Statement has been made to Arizona legislature that Tucson, Ariz., and El Paso, Texas, have been definitely designated by your committee as the only two centers which will be considered for proposed Brotherhood sanatorium site. Has such statement been issued by the brotherhood, by your committee or by you as individuals? We believe from our conversation with you that this is not true. Prescott is out for this proposed sanatorium purely on its proven merits and will appreciate telegraphic reply immediately to these questions.

Chamber of Commerce.  
H. W. HEAP, President.

G. M. SPARKES, Secretary.

C. H. HINDERER, Chairman Sanatoria Committee.

Cleveland, O., March 11-22. H. W. Heap, President Chamber of Commerce, Prescott, Ariz. Absolutely no truth in statement made to legislature. Nothing definite will be done until convention in May.

(Signed) HAWLEY, SHEA, WATTS.

MAIL FRAUD \$1,000,000

(Associated Press Night Wire) NEW YORK, March 13.—Alleged to have used the mails to defraud investors out of \$1,000,000 by the sale of worthless oil stocks, Seymour J. Cox, promoter, was arrested tonight in the Broadway theatrical district.

## BARTLEY ON STAND DENIES ACCUSATIONS

State Rapidly Completes Case Against Seligman Man Charged With Statutory Offense; Wife Testifies for Defendant

Complete denial of charges of misconduct against Mary Hayes and a counter-charge, laying responsibility for her condition upon a brother, were contained in brief testimony given on the stand yesterday by Grady B. Bartley, Seligman machinist, in the course of his trial on a statutory charge. Mrs. Bartley joined her husband in denying statements made during the state's case by Mary Hayes, her sister, Mrs. J. A. Rounds, and John Rounds.

Bartley intimated in his testimony that he had been made the accused after he had refused to pay money for sending 14-year-old Mary away to school.

County Attorney John L. Sullivan cross-examined Mrs. Bartley closely upon her statement that on the afternoon of February 11, the day of the alleged offense, she had gone to Mrs. Rounds with inquiries as to possible signs of anything wrong between Mary and Bartley. Mrs. Bartley stoutly denied having entertained "suspicious" of her husband. Asked if she had expressed such emotions during the preliminary hearing in the Seligman justice court, the defendant's wife again maintained she had not.

The state's case was quickly put in. Mary Hayes, the prosecutrix, was on the stand less than an hour. Her testimony was delivered without embarrassment and did not occupy much time. Cross-examination by C. C. Norton of defense counsel was searching but not over long.

Mrs. Rounds, recalled to the stand by the prosecution, related another angle of the case, purporting to convey the information that the Bartley home had been a meeting place for men who had gathered to buy liquor. The witness said Bartley had asked her if Mary could go over and take care of the Bartley child while the parents attended a "dance." Mrs. Rounds said she objected on the grounds of the trade carried on there and that Bartley had reassured her, saying "I have sold the last quart."

The jury, which was selected during the forenoon, was given two distinct and clear-cut stories of the alleged occurrences of February 11, 12 and 13. The prosecution's case was based on the following general allegations:

On the Saturday in question, Mr. and Mrs. Rounds left Mary at their home and went in their car to the country for wood. Bartley, who was at the house, rode on the running board as far as the store, and then returned to the house, where, according to the state's case, he had sexual intercourse with Mary.

(Associated Press Night Wire)

PHOENIX, March 13.—The controversy over the senate concurrent resolution regarding establishment of the railwaymen's hospital at Tucson was revived today by Representative Gale of Yavapai, who had at first opposed adoption of the resolution in the form in which it had come from the senate.

On the basis of a statement by F. J. K. McBride that he had learned from the legislative committee of the engineers that Tucson had been agreed to as the only Arizona city in which the hospital could possibly be located, Mr. Gale had moved to reject the report of the select committee which had recommended the striking out of the name "Tucson" and substitution for it of "some point in Arizona."

Found His Hostile!

Mr. Gale asserted that on his return to Prescott yesterday he found a hostile sentiment against him in consequence of his action and also that he had learned more of the status of the hospital than he had known before.

The chamber of commerce of Prescott, he said, had wired the headquarters of the engineers asking if it was true, as had been stated, that the committee of the order had decided upon either Tucson or El Paso as the site. A reply had been received that there had been no such decision and none could be reached before the convention of the order in May.

McBride Admits Error

Mr. Gale further said he had shown the telegrams to Mr. McBride who admitted he had been misinformed and that he would gladly appear before the house to make a statement. Mr. Gale then moved that the senate be requested to return the resolution which had been passed last Friday and sent back to the senate.

WORK'S RIGHT BOWER

(Associated Press Night Wire)

WASHINGTON, D. C., March 13.—Former Governor John H. Bartlett of New Hampshire was sworn in as first assistant postmaster general today.

In the prosecutrix's story, he accomplished the offense complained of. On the following day, Mrs. Rounds drew the story from Mary and on Monday morning she went with her husband to the Bartleys' and there Bartley was accused. According to the Rounds' story, Bartley made no reply to the charge, but later alluded to his wife in connection with the incident.

Mr. and Mrs. Bartley both denied these allegations. Bartley said he had not attempted flight, though he admitted that a day later, he had gone to a ranch to substitute for a cowboy friend who wanted to spend a day or two in town. He was arrested at the ranch. He had not done the things charged, he said in reply to the direct question of his counsel.

Mrs. Bartley and Mrs. Mary Emery, another defense witness, sat behind the defense group, while relatives of the prosecutrix and other prosecution witnesses were seated in the rear of the county attorney's table.

Dr. F. H. Cartmell of Ash Fork testified to having examined the girl. He said she bore evidences of having been mistreated.

The case was recessed until this morning.

## SIX OUT OF SEVEN BILLS TAKE ROUTE TO ELECTION

(Associated Press Night Wire)

PHOENIX, March 13.—Six of the constitutional amendments proposed by the Arizona Industrial congress now are ready to be placed on the ballot to go before the people. Passed by both houses of the legislature and sent to the governor, they were transmitted today to the secretary of state.

The seventh amendment, senate bill 15, proposing amendment of the initiative and referendum provision of the constitution, still is in the hands of the standing committee of the house and is expected to be reported out tomorrow.

The six amendments had been sent to Governor Campbell several days ago but were held by him until yesterday because of a doubt of the necessity of action upon them by him. The matter was referred to Attorney General W. J. Galbraith who, in an opinion today, stated that inasmuch as they were not subject to the veto power of the governor, his approval of them was not required.

Stoddard Bill is Key

When the amendments will be placed on the ballot hinges on the fate of senate bill 38 by Senator Stoddard. This measure providing for a special election next fall for a ballot on the constitutional amendments, was up for final action today and failed to obtain the necessary two-thirds vote to carry the emergency clause. Mr. Stoddard changed his vote to nay for the purpose of moving a reconsideration. Senator Elliott who, it is thought, would have supported the bill, was absent. With his vote Mr. Stoddard would have voted in the affirmative and the necessary 13 votes would have been secured.

Hold Up Fund Bill

Contrary to expectations the general appropriation bill and the general repeal bill were not introduced today.

The senate committee on state, county and city affairs favorably reported house bill-2, the Kimball paving bill, with an amendment suggested by Senator Sims striking a section intended to validate certain proceedings which had been taken in a paving project in Tucson.

A message was received from the governor announcing his disapproval of a senate concurrent resolution providing for the immediate relief of the University of Arizona. He said doubt existed as to whether that sought could be accomplished by the resolution. It was explained senate bill 40 providing for the university already has passed the house.

O. K. for Bank Code

The senate in committee of the whole this afternoon favorably reported the banking code.

A message was received by the house from Secretary of Commerce Hoover accepting an invitation to address the legislature in joint session Thursday morning.

Would Aid Veterans

New bills introduced in the house included one by Representative Haynes relating to an act of congress establishing the veterans' bureau and providing that claimants for benefits under the act should be furnished without cost certificates of such records as they might require in support of their claims.

COTTON MARKET

NEW YORK, March 13.—Cotton closed easy at net decline of 19 to 26 points, at \$18.45.

## Next Step to Stop Strike Is To Be Taken After Initial Move to Tie Up Coal Mines

(Associated Press Night Wire)

WASHINGTON, D. C., March 13. Little hope for averting a strike in the unionized bituminous coal fields on April 1 was held out today in those official circles which are most concerned with the repeated governmental attempts to bring about an adjustment of wage agreement differences.

Mine operators, it was declared, were continuing in their refusal to enter a conference with the United Mine Workers of America looking to the creation of a new wage contract for the central competitive field notwithstanding representations made to them by Secretary of Labor Davis

who holds that existing contracts require them at least to enter negotiations regardless of whether such negotiations are carried to completion.

The United Mine Workers of America, the general union organization, was declared to be entirely willing to enter a conference although insisting upon the maintenance of existing wage scales which were adopted in 1920. The employees are demanding reductions amounting to 20 per cent or more.

It was indicated in official circles today that the government would go no further at present but await the development of the threatened strike.

## PROGRESS ON BONUS BILL MAY DEPEND ON GILLET'S STAND

(Associated Press Night Wire)

WASHINGTON, D. C., March 13.

Republican leaders were confronted today with the possibility that they might be unable to bring about a vote in the house on the compromise soldier bonus bill under suspension of the rules next Monday. With a favorable report of the measure by the ways and means committee promised by Chairman Fordney they generally were agreed that the bill should be disposed of by the house early next week.

Inability, however, to ascertain whether Speaker Gillett, who is in Florida with President Harding, would entertain a motion to suspend the rules which would require a two-thirds vote for passage of the bill and would automatically bar all amendments, coupled with reports

that he might decline to do so, threw the whole question of procedure into the air.

Up to Gillett

Republican members of the ways and means committee who at a morning meeting decided to proceed with their plans for a report of the measure at the meeting of the full committee scheduled for tomorrow despite objections to its provisions voiced by Secretary Mellon and Comptroller of the Currency Cressinger, held a conference later in the day with members of the republican steering committee and several others including Representative Walsh of Massachusetts, acting speaker, and Representatives Fess of Ohio and Townner of Iowa. It was agreed at this meeting not to make a final decision as to procedure until the views of the speaker could be learned.

## M'NARY BILL TO EXTEND PAYMENTS ON ALL IRRIGATION PROJECTS PASSES THE SENATE

(Associated Press Night Wire)

WASHINGTON, D. C., March 13.

The senate late today passed the McNary bill authorizing the secretary of the interior in his discretion to extend for a period of two years from December 31, 1922, the time for payment of construction and water charges on federal irrigation projects. The bill further provides that water

may be furnished organized groups of users in a given project upon presentation of a sufficient number of individual showings that the extension of deferred payments for water is necessary. Water may be furnished individuals also during the irrigation season of 1922 even though such users may be in arrears more than one year in the payment of operation maintenance or construction charges.

## HUMAN DOORMAT IS OBENCHAIN; DEBATE IN TRIAL IS BEGUN

(Associated Press Night Wire)

LOS ANGELES, March 13.—Mrs. Madalynne Obenchain used her husband, Ralph Obenchain, as "a human doormat," Deputy District Attorney Charles Fricke declared today in the opening argument for the prosecution in the trial of Mrs. Obenchain on the charge of murdering J. Belton Kennedy, who she has testified was the man she loved.

Fricke dwelt upon Mrs. Obenchain's relations with Obenchain, Kennedy and Arthur C. Burch, co-defendant in the case. The prosecution contends Burch fired the shots which killed Kennedy.

Mrs. Obenchain's testimony was completed this afternoon.

## I.C.C. AUTHORITY IS LIMITED TO ROADS CROSSING BORDERS

(Associated Press Night Wire)

WASHINGTON, D. C., March 13.

The interstate commerce commission was held today by the supreme court to be without authority to authorize or compel the abandonment of a strictly state railroad.

The decision which was handed down in a case brought by the state of Texas against the Eastern Texas Railroad company to prevent that road from dismantling under an order issued by the commission declared that where a railroad lies entirely within a single state, is owned and operated by a corporation of that state and is not a part of another line and where it continued operations cannot be of more than local concern the commission was without jurisdiction.

## VOTE COMES ON OFFER BY ROBINSON TO ALTER LINES

(Associated Press Night Wire)

WASHINGTON, D. C., March 13.—Opponents of the four-power Pacific treaty loosed another series of broadsides against the pact today in the senate but shaken their onslaught just before adjournment to accept a unanimous consent agreement for a vote tomorrow on the first of the proposed amendments.

Senators Johnson of California and Borah of Idaho, both republicans, took the lead in the all-day attack, the former declaring ratification of the treaty would be a national "surrender" under a threat of danger from the Anglo-Japanese alliance and the latter asserting that the proposed four-power arrangement would transfer to the Pacific the old balance of power system that has dominated Europe for centuries.

HUGHES' LETTER DOES NOT PACIFY BORAH

A question as to the authorship of the treaty and its supplemental agreements again was raised during the debate, Mr. Borah asserting that despite Secretary Hughes' letter accepting responsibilities for the final draft, there seemed to be "the most conclusive proof that somebody else wrote the treaty."

ROBINSON'S CHANGE OPENS DOORS WIDE

The amendment on which it was agreed to vote at 4 p. m. tomorrow was proposed by Senator Robinson, democrat, of Arkansas, and will be the first issue of the four-power treaty fight to come to a roll call. As modified today by Mr. Robinson it provides that the rights of nations both in and out of the four-power group are to be respected and that non-signatory as well as signatory nations shall be invited to any conference held to consider controversies affecting their insular interests in the Pacific "or any far eastern questions."

WORSE THAN LEAGUE OF NATIONS COVENANT

Administration leaders declared tonight they had sufficient votes to defeat the amendment. Senator Robinson made a short speech today favoring its adoption in the interest, he said, of fair play for Russia, China and other non-signatory nations and Senator Lenroot, republican, of Wisconsin, argued against it on the ground that it would impose blanket obligations, going even beyond the League of Nations covenant.

## HARRY GREB'S SPEED GIVES HIM DECISION OVER TOMMY GIBBONS

(Associated Press Night Wire)

NEW YORK, March 13.—Harry Greb of Pittsburgh tonight defeated Tom Gibbons of St. Paul, receiving the judges' decision after their 15-round match in Madison Square Garden.

Greb, styled the human windmill, swung hard rights and lefts to Gibbons' head throughout the contest and his speed prevented Gibbons from carrying out effectively his famed body attack with which he had knocked out within the last two years more than 40 opponents.

Gibbons' punching was all for the body and the blows he landed were.

(Continued on page three)